

1642

SEP 11 2003

# AMENDMENT TRANSMITTAL LETTER

Docket No.  
CPI-042CPUS

Application No.  
09/403075-Conf. #6811

Filing Date  
May 10, 2000

Examiner  
Susan NMN Ungar

Art Unit  
1642

**\*Applicant(s): Gary L. Johnson**

**Invention: MEKK1 PROTEINS AND FRAGMENTS THEREOF FOR USE IN REGULATING APOPTOSIS**

**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

RECEIVED

SEP 16 2003

TECH CENTER 1600/2900

## CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	44	- 87 =		x	0.00
Independent Claims	5	- 27 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):      Extension for response within third month					465.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					<b>465.00</b>

☐ Large Entity

**x** Small Entity

☐ No additional fee is required for this amendment.

☒ Please charge Deposit Account No. 12-0080 in the amount of \$ 465.00  
A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-0080 as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

**Dated: September 11, 2003**

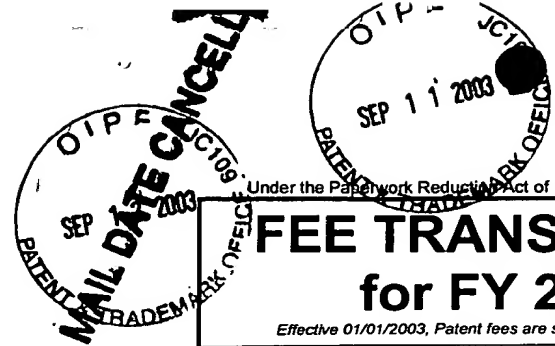
Jonathan M. Sparks, Ph.D.  
Attorney Reg. No.: 53,624

**LAHIVE & COCKFIELD, LLP**  
28 State Street  
Boston, Massachusetts 02109  
(617) 227-7400

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 309882439 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

**Dated: September 11, 2003**

Signature:  (Jonathan M. Sparks, Ph.D.)



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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 465.00

## Complete if Known

Application Number	09/403075-Conf. #6811
Filing Date	May 10, 2000
First Named Inventor	Gary L. Johnson
Examiner Name	Susan NMN Ungar
Art Unit	1642
Attorney Docket No.	CPI-042CPUS

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number

12-0080

Deposit Account Name

Lahive & Cockfield, LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
44	-87** =		0.00
Independent Claims	5	-27** =	0.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	465.00
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 465.00

## SUBMITTED BY

(Complete (if applicable))

Name (Print/Type) Jonathan M. Sparks, Ph.D.

Registration No. (Attorney/Agent)

53,624

Telephone (617) 227-7400

Signature

Date

September 11, 2003

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Dated: September 11, 2003

Signature:

(Jonathan M. Sparks, Ph.D.)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Gary L. Johnson

Serial No.: 09/403,075

Filed: May 10, 2000

For: MEKK1 Proteins and Fragments Thereof for  
Use in Regulating Apoptosis

**Attorney Docket No.:** CPI-042CPUS

Group Art Unit: 1642

Examiner: Ungar, S.

#15/c  
JM

9/25/03

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P.O. Box 1450  
Alexandria, VA 22313-1450

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Date of Deposit September 11, 2003

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Signature 

Jonathan M. Sparks, Ph.D. Reg. No. 53,624  
Please Print Name of Person Signing

**AMENDMENT AND RESPONSE**

Dear Sir:

This is a response to the Office Action mailed from the Patent Office on March 11, 2003. A separate petition for an extension of time is being filed concurrently herewith.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 5.